IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 15140 of 2004

Between:

C. Shankaraiah, S/o. Venkataramana,
R/o. H.No. 18-1-721, Bhavani Nagar, Tirupathi.

..... PETITIONER

AND

1 The Superintendent of Police, S.C. Railways, Guntakal, Ananthapur District.
2 The Additional Director General of Police, Railways, Secunderabad, A.P.
3 The Director General of Police, Hyderabad, A.P.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, more in the nature of Mandamus, the action of the respondents in not fixing the salary of the petitioner on a part with his juniors by the 1st Respondent despite the directions of the 2nd Respondent through his proceedings dated 28-4-1998 in Memo R.C.No. 154/A/97 in spite of repeated requests and representations as illegal, arbitrary, violative of principles of promissory estoppel besides Article 14, 16 and 21 of the Constitution of India and consequently direct the respondents to fix the pay scale of the petitioner on a par with his immediate junior and to pay all other consequential benefits pursuant thereto,

Counsel for the Petitioner: MR.C.A.RSESHAGIRI RAO

Counsel for the Respondent Nos.1 to 3: GP FOR HOME

The Court made the following:

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ORDER:

The petitioner is working as a constable in Railway Protection Force under the control of the South Eastern Railways, Secunderabad.

2. The grievance of the petitioner is that there was an anomaly in the fixation of his pay, thereby he is getting Rs.100/- less than the pay of his juniors. Therefore, he made several representations to the respondents, but the respondents did not rectify the anomaly in the fixation of his pay. Therefore, he approached this Court, seeking a direction to the respondents to rectify the anomaly and to make the pay of the petitioner equal to the pay of his juniors.

3. The petitioner is contending that his pay was fixed at Rs.3,100/-, whereas the pay of his juniors of the same cadre was fixed at Rs.3,200/-. If it is a fact, the respondents are directed to examine the papers, relating to the pay fixation of the petitioner, and pass appropriate orders rectifying the anomaly, if any, in the fixation of pay of the petitioner, by taking into consideration the report of the Pay Revision Commission, and the representations of the petitioner, within two months from the date of receipt of a copy of this Order.

4. The Writ Petition is, accordingly, disposed of. No order as to costs.

Note:

Issue CC in two days.

B/o.

dsr/svs

ASSISTANT REGISTRAR

To:

1. The Superintendent of Police,

S.E.Railways, Guntakal, Anantapur District

2. The Additional Director General of Police,

Railways, Secunderabad, A.P.

3. The Director General of Police,

Hyderabad, A.P.

4. Two CC copies to the Government Pleader for Home,

High Court Buildings, Hyderabad (OUT).

5. Two CD copies.